

DETERMINING A STUDENT'S DISTRICT OF RESIDENCE		Residence of Student			
		Residence of Birth Parents	Location of Court which Terminated Parental Rights	Residence of Adoptive Parents	Location of Student
CUSTODIAN OF MINOR STUDENT	Birth Parents	MCA 1-1-215			
	State (Temporary custody; birth parent(s)' parental rights intact)	MCA 1-1-215 43 AGO 36 (1989)			
	State (Temporary custody; birth parent(s)' parental rights permanently revoked)		43 AGO 36 (1989)		
	Adoptive Parents			MCA 42-1-103 MCA 1-1-215	
Non-Minor Student (18 Years of Age or Older)					MCA 1-1-215

MCA 1-1-215. Residence -- rules for determining. Every person has, in law, a residence. In determining the place of residence, the following rules are to be observed: (1) It is the place where a person remains when not called elsewhere for labor or other special or temporary purpose and to which the person returns in seasons of repose. (2) There may only be one residence. If a person claims a residence within Montana for any purpose, then that location is the person's residence for all purposes unless there is a specific statutory exception. (3) A residence cannot be lost until another is gained. (4) The residence of a minor's parents or, if one of them is deceased or they do not share the same residence, the residence of the parent having legal custody or, if neither parent has legal custody, the residence of the parent with whom the minor customarily resides is the residence of the unmarried minor. In case of a controversy, the district court may declare which parental residence is the residence of an unmarried minor. (5) The residence of an unmarried minor who has a parent living cannot be changed by either the minor's own act or that of the minor's guardian. (6) The residence can be changed only by the union of act and intent.